

**MEMO BY FAX**

16 June 2005

To: Mark Krausse, Executive Director

From: Shirley L. Grindle

Re: 2005-2006 Strategic Plan

Mr. Krausse:

I have read your Memorandum to the Commission regarding the update of the Commission's Strategic Plan. I wish to comment on local enforcement of the Political Reform Act by District Attorneys and City Attorneys.

In Orange County we have a District Attorney who rarely enforces our local campaign ordinance (although the ordinance requires him to do so – he just ignores it), particularly if it involves alleged violations by other county elected officials. We have virtually no enforcement of the local ordinance because of this and also because the FPPC doesn't enforce local ordinances, and the Attorney General's office doesn't like to get involved in these cases either. (Our D.A. is one of the violators of the ordinance along with Sheriff Mike Carona – both are advised by the same campaign/legal advisor – Mike Schroeder – whose wife works for the D.A. and who himself is very connected with the local and State Republican Party.)

In those cities where the City Attorney is appointed, it is difficult for them to enforce local campaign laws when the alleged violators are their bosses – the City Councils.

In a perfect world, we should be able to rely on local enforcement authorities to enforce the laws equally regardless of position and power, but that is obviously not the real world.

I am very aware of the backlog of cases in your office and I know that you are way understaffed to handle them. Expecting local D.A.s and City Attorneys to enforce the state laws when they are reluctant to even enforce local campaign laws when it involves other elected officials in their respective jurisdictions, is not the answer.

The best enforcement device I have seen is a local "Ethics Commission" similar to that in the city of Los Angeles. I would like to see an Ethics Commission in Orange County that was charged with enforcement of both state and local laws, but it will probably never happen unless we run a county-wide initiative, or state law were to require jurisdictions over a certain population threshold to have an Ethics Commission. If that were possible, it would relieve the FPPC of a lot of enforcement AND would take local enforcement out of the hands and influence of elected officials.